

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 54th Legislature (2013)

4 COMMITTEE SUBSTITUTE
5 FOR ENGROSSED
6 SENATE BILL NO. 285

By: David and Ivester of the
Senate

and

Hulbert of the House

7
8
9
10 COMMITTEE SUBSTITUTE

11 An Act relating to authority of district attorney;
12 amending 19 O.S. 2011, Section 215.22, which relates
13 to destruction of records; authorizing destruction of
14 certain records under specified circumstances;
15 authorizing certain storage of specified records;
16 making language gender neutral; and providing an
17 effective date.

18 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

19 SECTION 1. AMENDATORY 19 O.S. 2011, Section 215.22, is
20 amended to read as follows:

21 Section 215.22 A. The district attorney is hereby authorized
22 to destroy all or a portion of his or her office records and files
23 relating to:

24 1. Any felony case or record relating to a felony investigation
except where a homicide is involved, provided a period of ten (10)

1 years shall have elapsed since the last action in said case and
2 provided the district attorney in his or her discretion ~~may~~ shall
3 microfilm or provide computer storage for such felony cases to be
4 destroyed; ~~and~~

5 2. Any misdemeanor or traffic case, or record relating to a
6 misdemeanor or traffic investigation, provided a period of five (5)
7 years shall have elapsed since the last action in ~~the~~ said case, and
8 provided the district attorney in his or her discretion may
9 microfilm or provide computer storage for such misdemeanor or
10 traffic cases to be destroyed;

11 3. Any juvenile case, provided a period of ten (10) years shall
12 have elapsed since the last action in said case and provided the
13 district attorney in his or her discretion may microfilm or provide
14 computer storage for such juvenile case to be destroyed; and

15 4. Any civil case, provided a period of ten (10) years shall
16 have elapsed since the last action in said case and provided the
17 district attorney in his or her discretion may microfilm or provide
18 computer storage for such civil case to be destroyed.

19 B. The district attorney is authorized to reproduce a copy of
20 such record, file or case stored on microfilm or in computer storage
21 as provided in this section and such copy or computer-generated
22 image or record may be used by the district attorney in lieu of the
23 destroyed record, file or case, for all purposes.

24

1 SECTION 2. This act shall become effective November 1, 2013.

2
3 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 03/27/2013 - DO
4 PASS, As Amended and Coauthored.
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24